

REMARKS

Reconsideration and allowance of the above-referenced application are respectfully requested. Claims 5, 10, 18-23, 29-30, 34, 42-47 and 50-54 are amended. New claims 55-77 are added. Claims 1-4, 11-12, 14-17, 24-28, 35-36, 38-41, and 48-49 are canceled.

Claims 5-10, 13, 18-23, 29-34, 37, 42-47, and 50-77 are pending in the application.

The indication of informalities in the claims is acknowledged with appreciation. It is believed that the informalities have been resolved.

The rejection under 35 USC §112, second paragraph of claims 10, 23, 34 and 47 is acknowledged. It is believed the claims as amended satisfy the requirements of §112, second paragraph.

The indication of allowable subject matter in claims 10, 23, 34 and 47 is acknowledged with appreciation. In particular, the Official Action indicated the applied prior art did not disclose or suggest the claimed feature "wherein the recording device is integrated within the telephony device." Hence, independent claims 5, 18, 29, and 42 have been amended to include the limitation "wherein the recording device is integrated within the telephony device." Accordingly, it is believed these claims are allowable.

Claims 5, 7-9, 11-13, 18, 20-22, 24, 29, 31-33, 35-37, 42, 44-46 and 48-54 were rejected under 35 USC §102 in view of US Patent No. 6,539,077 to Ranalli. In view of the foregoing amendments to claims 5, 18, 29, and 42, this rejection is moot with respect to claims 5, 7-9, 11-13, 18, 20-22, 24, 29, 31-33, 35-37, 42, 44-46 and 48-50.

Applicant traverses the §102 rejection of claims 51-54. Each of these claims, rewritten in independent form, specifies that the recording device receives the speech signals via a connecting cable that is connected to a coupler of the telephony device. Further, the connecting cable is distinct from any voice grade media connection used by the telephony device for sending or receiving calls.

As illustrated in Figure 2B of the specification, the recording device 12 may be coupled to the telephony device 18 or 20 using a coupler 40 configured for splitting analog signals sent to and from the handset 42, and a connecting cable 44 (see, e.g., page 6, line 27 to page 7, line 2 of the specification). As described on page 3, lines 17-23 of the specification, the necessity of any voice grade connection between the calling party and any server (or PBX) is eliminated. Hence, messages can be recorded and sent without utilizing server resources, improving the scalability of telephony and data networks by reducing server requirements normally reserved for messaging sessions.

Ranalli provides no disclosure or suggestion whatsoever of connecting the recording device to the telephony device using a connecting cable, coupled to a coupler of the telephony device, that is distinct from the voice-grade media connection normally used by the telephony device. Rather, Figure 1 of Ranalli simply describes that a communications system 2 serves a user 1 that uses a telephone type keypad 5.

As admitted in the Official Action, Ranalli describes that the recording device is a PBX and that the telephony device is a telephone. Hence, the PBX of Ranalli inherently uses the same voice grade media connection for recording and receiving the speech signals.

Independent claims 51, 52, 53, and 54, however, specify that a connecting cable that is distinct from any voice grade media connection is used for connecting the recorder to a coupler of the telephony device.

For these and other reasons, the §102 rejection of claims 51-54 should be withdrawn.

The §103 rejection of dependent claims 6,19, 30 and 43 is moot in view of the foregoing amendments.

In view of the above, it is believed this application is in condition for allowance, and such a Notice is respectfully solicited.

To the extent necessary, Applicant petitions for an extension of time under 37 C.F.R. 1.136. Please charge any shortage in fees due in connection with the filing of this paper, including any missing or insufficient fees under 37 C.F.R. 1.17(a), to Deposit Account No. 50-1130, under Order No. 95-475, and please credit any excess fees to such deposit account.

Respectfully submitted,



Leon R. Turkevich
Registration No. 34,035

Customer No. 23164
(202) 261-1059
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